

L'Engle, Massey, McLeod, McMullen, Perkins, Stokes, Williams, Wilson, Withers, Zim—25.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

Senate Bill No. 77:

A Bill to be entitled An Act to amend Section 3627 (2684) of the General Statutes of the State of Florida, relating to furnishing weapons to minors, etc.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 77 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Massey, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—27.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

Mr. Adkins moved that the Senate do now adjourn.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock Thursday, April 20, 1911.

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## THURSDAY, APRIL 20, 1911.

The Senate met pursuant to adjournment.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

A quorum present.

Prayer by the Chaplain.

The reading of the Journal of April 19 was dispensed with.

The Journal of April 19 was corrected and approved as corrected.

Mr. Massey moved that the Sergeant-at-Arms be excused on account of illness.

Which was agreed to.

### REPORTS OF COMMITTEES.

The Committee on Finance and Taxation reported unfavorably on—

Senate Bill No. 180:

A Bill to be entitled "An Act authorizing all Tax Assessors in all the counties in the State to assess buildings and improvements on real estate to the owner, where the owner of said buildings and improvements is not the owner of the land."

Also favorably on—

Senate Bill No. 191:

A Bill to be entitled An Act relative to Tax assessments and redemption of lands from tax sales.

Also favorably on—

Senate Bill No. 148:

A Bill to be entitled An Act imposing license on cotton seed oil mills and to provide for the payment thereof; prescribing penalties for operating oil mills without first procuring license.

The Committee on Judiciary A reported favorably on—

Senate Bill No. 160:

A Bill to be entitled An Act defining the right of action for libel by publication in newspapers, magazines, or periodicals, and prescribing a rule of evidence in such cases.

Amended—

In Section 1, line 4, strike out the words "within ten days."

Also favorably on—

Committee Substitute for Senate Bill No. 125:

A Bill to be entitled An Act to provide for the treatment and control of dependent and delinquent children; to

provide for the disposition, care, education, protection, support, maintenance and punishment of delinquent or dependent children, and for their guardianship and adoption; to prescribe the power and duties of County Judges with respect thereto.

Also favorably on—

Senate Bill No. 194:

A Bill to be entitled An Act to provide for the change and establishment of county sites, calling elections for, and prescribing the regulations under which such elections shall be held, and providing a penalty for the use of money, goods or chattels, to secure votes or influence for any place as county site in such election, and specifying who shall be qualified to vote in the said election.

Also favorably—

House Bill No. 275:

A Bill to be entitled An Act to repeal Chapter 6014 of the Laws of Florida, entitled "An Act to organize and establish a County Court in and for St. Lucie County, Florida, and to prescribe for the appointment of a prosecuting attorney, and prescribe the terms thereon.

The Committee on Railroads, Canals and Telegraphs reported favorably on—

Senate Bill No. 174:

A Bill to be entitled An Act relating to the maintenance and repair of ditches, drains and canals constructed under the provisions of Chapter 16, Title 9, first division of the General Statutes of the State of Florida and providing a penalty for obstructing any such ditch, drain or canal.

The Committee on Judiciary A reported unfavorably on the following—

Senate Bill No. 187:

A Bill to be entitled An Act to punish indecent assaults on female persons.

Also—

Senate Bill No. 11:

A Bill to be entitled An Act disqualifying certain per-

sons from sitting as jurors in trial of certain cases and prescribing a rule of evidence therein.

Also—

Senate Bill No. 192:

A Bill to be entitled An Act providing that a juror shall not be excused for cause upon the ground that he has previously formed an opinion, if such juror under oath says he will try the cause and render his verdict according to the law and evidence introduced, regardless of his opinion.

Also—

Senate Bill No. 79:

A Bill to be entitled An Act to amend Section 1900 (1448) of the General Statutes of the State of Florida, relating to the signing and recording of decrees in equity.

Also favorably on—

Senate Bill No. 189:

A Bill to be entitled An Act for the relief of Lee Daniel.

Also—

Senate Bill No. 188:

A Bill to be entitled An Act to provide for the planting, protection and care of shade trees, on the streets and highways of the City of Pensacola, for the appointment of a Shade Tree Commission, and for raising money for such purposes and creating liens on property benefited by the planting of such trees.

Also—

Senate Bill No. 151:

A Bill to be entitled An Act to correct certain informalities in the execution of deeds and other instruments conveying or transferring real estate or personal property or relinquishing dower made by married women prior to the 1st of April, A. D. 1911.

The Committee on Agriculture and Forestry reported favorably on—

Senate Bill No. 162:

A Bill to be entitled An Act to amend Chapter 5609 of the Laws of Florida, entitled An Act to provide for the

enumeration of agricultural, horticultural, live stock, manufacturing, industrial and other statistics; for the appointment of County Enumerators, to define their duties, to provide for their compensation, and to define the duties of the Board of County Commissioners in connection therewith.

The Committee on Railroads, Canals and Telegraphs reported favorably on—

Senate Bill No. 183:

A Bill to be entitled An Act to prevent the collection of tolls or compensation by any canal company failing to maintain its canals.

The Committee on Agriculture and Forestry reported with amendments and without recommendation on—

Senate Bill No. 172:

A Bill to be entitled An Act to establish a Forestry Commission and to promote conservation of forestry resources of the State, has had the same under consideration and recommends that it do pass, together with the committee amendments.

Committee amendments, to-wit:

In line 6 of Section 6, after the words "suitability and" insert the following, "if suitable and desirable shall."

Also at the beginning of line 22, Section 6, insert the following, "or any reserve or any portion thereof."

Also strike out the marks and figures \$1,000.00 in Section 7, and insert in lieu thereof the following, \$500.00.

Also make Section 22 read as follows: "This Act shall take effect upon its becoming a law."

The Committee on Judiciary B reported—

Senate Bill No. 149:

A Bill to be entitled An Act to extend and enlarge the powers of the Railroad Commissioners of the State of Florida so as to give them the exclusive power and authority within the State of Florida to regulate charges of all persons, firms or corporations carrying on a telephone business within the State of Florida, and for other purposes.

And recommend the following amendments:

Amend the title by inserting therein before the word "charges" the words "the services and the."

In Section 2 strike out the words "Chapter 4700 of the Laws of Florida," and insert in lieu thereof the words "Chapter 5, Title 4, Fourth Division of the General Statutes and all Acts supplementary thereto or amendatory thereof."

Also with amendments—

Senate Bill No. 152:

A Bill to be entitled An Act to provide for quieting the title to real estate sold for State and county taxes.

And recommends the following amendments:

Amend Section 2 by striking out the words "affidavit of the complainant, his agent or solicitor, annexed to the bill" and insert in lieu thereof "direct allegation of the bill."

Also by adding to said section the words "all bills filed under this Act shall be verified by the oath of the complainant, his agent or solicitor."

The Committee on Railroads, Canals and Telegraphs reported—

Senate Bill No. 184:

Entitled a Bill to be entitled "An Act to amend Section 2812 of the General Statutes of the State of Florida relating to consolidation, lease and purchase by railroad and canal companies, and to fix a penalty for violation thereof."

With the following substitute for same:

Senate Committee substitute for—

Senate Bill No. 184:

Entitled a Bill to be entitled "An Act to amend Section 2812 of the General Statutes of the State of Florida relating to consolidation, lease and purchase by railroad and canal companies, and to fix a penalty for violation thereof."

The Committee on Engrossed Bills reported as properly engrossed—

Senate Bill No. 12:

A Bill to be entitled An Act to validate the Acts of

the Boards of County Commissioners of the several counties of this State, in drawing warrants on the general revenue fund of the county, in payment for expenses incurred for road or bridge purposes and of validating such warrants.

**Senate Bill No. 41:**

A Bill to be entitled An Act to secure better attendance upon the public schools of the counties of this State.

**Senate Bill No. 114:**

A Bill to be entitled An Act defining and prohibiting breaches of the peace and providing a penalty therefor.

The Committee on Finance and Taxation reported unfavorably on—

**Senate Bill No. 180:**

A Bill to be entitled An Act authorizing all Tax Assessors in all the counties in this State to assess buildings and improvements on real estate to the owner, when the owner of such buildings and improvements is not the owner of the land.

The Committee on Finance and Taxation reported unfavorably on—

**Senate Bill No. 4:**

A Bill to be entitled An Act providing for taxation of and fixing the rate of taxation on inheritances, devises, bequests, legacies and gifts, and providing for the manner of payment as well as the manner of enforcing payment thereof.

The Committee on Temperance reported favorably with amendments on—

**Senate Bill No. 14:**

A Bill to be entitled An Act to regulate the sale or furnishing of intoxicating liquors, wines or beer and prescribing a penalty for the violation of certain of its provisions.

## Committee Amendments to Senate Bill No. 14:

1. In Section 10, line 4, add after the words "one thousand dollars" "nor less than five hundred dollars." Also add at the end of line 5 "nor less than six months."
2. In Section 5, line 3, strike out the words "nine p. m." and insert in lieu thereof the following: "Eight p. m."
3. In Section 2, line 4, insert the words "any one" after word "of."
4. In Section 2, line 4, insert the word "or" after the word "him."
5. In Section 6, add at the end of section the words "holidays, general, special or primary election days, either State, county or municipal."
6. Strike out Sections 1 and 7, and rearrange the numbers of sections.

Senate Chamber,  
Tallahassee, Fla., April 20, 1911.

*Hon. Fred P. Cone,*  
*President of the Senate.*

*Sir:*

Your Committee on Judiciary B, to whom was referred—

A Bill to entitled An Act authorizing trustees of special tax school districts in the several counties of the State of Florida to secure bonds or other evidence of indebtedness; to secure outstanding indebtedness of said district, and to secure any indebtedness incurred in purchase of any real estate or personal property for educational purposes, and the erection of buildings and maintaining the same for such purpose, and to provide an election to authorize such issuing of bonds.

Has had the same under consideration and recommends that the veto of the Governor be sustained.

Very respectfully,

S. J. HILBURN,  
Chairman of Committee.

Mr. Perkins introduced the following resolution:

Senate Concurrent Resolution No. 15:

Resolved by the Senate, the House of Representatives concurring, That a Joint Committee be appointed, con-



sisting of five on the part of the Senate and seven on the part of the House, to whom should be referred all bills providing for the creation of new circuits in this State, and with direction to report a joint bill for the creation of new circuits, to the Senate and House of Representatives, respectively.

Which went over under the rules.

## INTRODUCTION OF BILLS.

By Mr. Adkins—

Senate Bill No. 219:

A Bill to be entitled An Act imposing licenses and other taxes; providing for the payment thereof, and prescribing penalties for doing business without a license, or other failure to comply with the provisions thereof.

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Davis—

Senate Bill No. 220:

A Bill to be entitled An Act to amend Section 845 of the General Statutes of the State of Florida, relating to persons subject to road duty and prescribing certain duties of Road Overseers.

Which was read the first time by its title and referred to the Committee on Roads and Highways.

By Mr. Johnson—

Senate Bill No. 221:

A Bill to be entitled An Act to amend Sections 63 and 64 of Chapter 5596 of the Laws of Florida, Acts of 1907, relative to the commissions and compensations of County Assessors of Taxes and Tax Collectors.

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Johnson—

Senate Bill No. 222:

A Bill to be entitled An Act to amend Section 5 of Chapter 5399 of the Acts of the Legislature of 1905, said Chapter 5399 being An Act entitled An Act defining the

duties of the several State's attorneys of this State and fixing their salaries.

Which was read the first time by its title and referred to the Committee on Judiciary B.

By Mr. Perkins—

Senate Bill No. 223:

A Bill to be entitled An Act relating to service of process against foreign insurance and surety companies.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Zim—

Senate Bill No. 224:

A Bill to be entitled An Act to provide for submitting to a vote of the qualified voters of the next general election the proposition as to whether or not the State Capitol shall be moved to some point east of the Suwannee River, and providing how the location shall be determined should the result of the election be favorable to the removal of the Capitol.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Adkins—

Senate Bill No. 225:

A Bill to be entitled An Act making partial appropriation for legislative expenses session of 1911.

Which was read the first time by its title.

Mr. Adkins moved that the rules be waived and that Senate Bill No. 225 be read a second time.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 225 was read a second time in full.

Mr. Adkins moved that the rules be further waived and that Senate Bill No. 225 be read a third time and put upon its passage.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 225 was read a third time in full.

Upon call of the roll on the passage of the bill the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hcsford, Hudson,

Humphries, Johnson, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Withers, Zim—26.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

By Mr. Williams—

Senate Bill No. 226:

A Bill to be entitled An Act to provide for the selection and securing of a site for a Government Biological Station on the Coast of Florida.

Which was read the first time by its title and referred to the Committee on Game and Fisheries.

By Mr. Stokes—

Senate Bill No. 227:

A Bill to be entitled An Act directing that a statue of Chas. W. Jones be placed in the National Statuary Hall in the Capitol of the United States in Washington, District of Columbia, and directing the Governor to appoint a commission to take necessary steps to that end.

Which was read the first time by its title and referred to the Committee on Appropriations.

By Mr. Culpepper—

Senate Bill No. 228:

A Bill to be entitled An Act creating a State Tax Commission, designating its duties, providing for its compensation, and for carrying into effect the provisions of this Act.

Which was read the first time by its title and referred to the Committee on Finance and Taxation.

By Mr. Culpepper—

Senate Bill No. 229:

A Bill to be entitled An Act for the protection and preservation of wild game in Taylor County, Florida, and providing penalties for the violation of this Act, and to repeal Chapter 5783 of the Acts of 1907.

Which was read the first time by its title.

Mr. Culpepper moved that the rules be waived and that Senate Bill No. 229 be read a second time by its title, and that it be placed on the Calendar of Bills on Third Reading.

Which was agreed to by a two thirds' vote.  
 And Senate Bill No. 229 was read a second time in full.  
 And the Bill was placed on the Calendar of Bills on  
 Third Reading.

By Mr. Culpepper—

Senate Bill No. 230:

A Bill to be entitled An Act to amend Section 3903 of the General Statutes of the State of Florida, relating to jurisdiction of County Judges in criminal matters.

Which was read the first time by its title and referred to the Committee on Judiciary A.

By Mr. Culpepper—

Senate Bill No. 231:

A Bill to be entitled An Act to prohibit the catching and taking of fish with haul seines or drag nets, and prohibit the use of haul seines or drag nets in all the salt and fresh waters in the Counties of Lafayette and Taylor, situated between the mouth of the Suwannee River and the mouth of the Aucilla River, and to fix a penalty for the violation thereof, and to provide for the seizure and destruction of all haul seines and drag nets used in the violation of this Act.

Which was read the first time by its title.

Mr. Culpepper moved that the rules be waived and that Senate Bill No. 231 be read a second time by its title.

Which was agreed to by a two thirds' vote.

And Senate Bill No. 231 was read a second time by its title.

And Senate Bill No. 231 was placed on the Calendar of Bills on the Third Reading.

Senate Concurrent Resolution No.—:

Whereas, We now have residing in the State of Florida in a district known as the Everglades a tribe of Seminole Indians; and,

Whereas, It appears there is only a very small area of land grant reserved for the said Seminole Indians, and that the said reservaton is so located that it is impractical for the said Indians to inhabit same; and,

Whereas, There is now being cut and opened up many canals which are liable to interefere with the property and happiness of the said Indians; and,

Whereas, Another reservation should be allotted and granted to the said Indians by the State of Florida in the said Everglade district in a more isolated territory where trespass will not be so frequent by the white man, and that said Indians may enjoy their famous hunting grounds; therefore, be it

Resolved by the Senate, the House of Representatives concurring, That a committee consisting of one member on the part of the Senate and two on the part of the House be appointed by the respective presiding officers of each party to visit the said Everglade district and make a thorough and complete investigation of the affairs of the Seminole Indians, and the reservation now allotted them, and also other territory which would be more suitable for the reservation or grant for the said Indians, and to make its report to the Legislature within ten days.

Which was read the first time and went over under the rules.

#### CONSIDERATION OF RESOLUTIONS.

House Concurrent Resolution No. 18:

Relating to the taxes for 1911 on the tract of land purchased for use as a State Prison.

Was taken up and read the second time.

Mr. Adkins moved that House Concurrent Resolution No. 18 be adopted.

Which motion was withdrawn, and the resolution was temporarily passed over.

The President appointed the following committee to act in concert with a similar committee from the House to visit and inspect the phosphate mines in Hillsboro and Polk Counties, to wit: Messrs. McMullen and Sloan.

Mr. Hudson, Chairman of Committee on Rules and Procedure, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 20, 1911.

*Hon. Fred P. Cone,*

*President of the Senate.*

*Sir:*

Your Committee on Rules and Procedure—

Recommend that hereafter whenever a House Bill of a

local nature is read the first time in the Senate it shall, in the absence of objection, be placed upon the Special Calendar without reference to a committee.

Very respectfully,

F. M. HUDSON,  
Chairman of Committee.

Which was read, adopted and ordered spread on the Journal.

### MESSAGES FROM THE HOUSE OF REPRESENTATIVES.

The following message from the House of Representatives was read:

House of Representatives,  
Tallahassee, Fla., April 19, 1911.

*Hon. Fred P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the Speaker of the House of Representatives has appointed the following committees:

Under Concurrent Resolution:

To investigate lands in Bradford County—Messrs. Rogers, Knight, Igou.

Under Concurrent Resolution:

To investigate tax titles in Comptroller's office—Messrs. Wall, Reaves, Stringer.

Under Concurrent Resolution:

Memorial Bloxham and Broward—Messrs. Gornto, Wall, Knight.

Under Concurrent Resolution:

State Reformatory at Marianna—Messrs. Fee, Tomlin, High.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,  
Chief Clerk of the House of Representatives.

Also the following was read:

House of Representatives,  
Tallahassee, Fla., April 19, 1911.

*Hon. Fred P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

Senate Bill No. 3:

A Bill to be entitled An Act to amend Section four (4) of Chapter 5984 of the Laws of Florida, Acts of 1909, being entitled An Act to organize a County Court in and for the County of Gadsden; to prescribe the term thereof, and to provide for the appointment of a Prosecuting Attorney, and for his compensation and for that of the Judge of said court.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And Senate Bill No. 3, contained in the above message, was read the first time by its title and referred to the Committee on Enrolled Bills.

Also the following was read:

House of Representatives,  
Tallahassee, Fla., April 18, 1911.

*Hon. Fred P. Cone,*  
*President of the Senate.*

*Sir:*

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

House Bill No. 309:

A Bill to be entitled An Act to validate the incorporation of the town of St. Cloud, in Osceola County, and to define the boundaries thereof.

And respectfully requests the concurrence of the Senate thereto.

Very respectfully,

J. G. KELLUM,

Chief Clerk of the House of Representatives.

And House Bill No. 309, contained in the above mes-

sage, was read the first time by its title and was placed on the Local Calendar of Bills on Third Reading.

Mr. Davis moved to reconsider the vote by which Senate Bill No. 5 passed.

Which went over under the rules.

### BILLS ON THIRD READING.

Senate Bill No. 100:

A Bill to be entitled An Act prohibiting fire insurance companies doing business in this State in the absence of fraud, misrepresentation or deceit upon the party insured from setting up fact of title in the insured as a defense against the payment of any policy.

Was taken up and informally passed over.

Senate Joint Resolution No. 7:

A Resolution proposing a revision of the Constitution of the State of Florida.

Was taken up and read the third time as follows:

Senate Joint Resolution No. 7:

A Joint Resolution proposing a revision of the Constitution of the State of Florida.

Whereas, Many defects and imperfections are apparent, and many changes needed in our present Constitution; and

Whereas, The onward march of civilization, and the unprecedented development of our State, require a modern Constitution; and

Whereas, The rapidly increasing population and progressive tendencies toward development of our State, are in a degree retarded by our present Constitution; therefore, be it

Resolved by the Legislature of the State of Florida, That pursuant to Section 2 of Article XVII of the Constitution of the State of Florida, it is the sense of this body that a revision of our State Constitution is necessary; that the officers of this State be required to take such steps as the Constitution directs to secure the votes of the people on this question.

Upon the passage of the Joint Resolution the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Broome, Davis, Dayton, Hosford, Hudson, Massey, McMullen, Miller, Perkins, Sloan, Stokes—13.



Nays—Senators Baker, Calkins, Carney, Culpepper, Finlayson, Flournoy, Henderson, Hilburn, Humphries, Johnson, L'Engle, McLeod, Williams, Wilson, Withers, Zim—16.

So the Joint Resolution not receiving a three fifths' vote, failed to pass.

**Senate Bill No. 87:**

A Bill to be entitled An Act to prohibit the inducing, enticing or procuring women or girls for immoral purposes, and prescribing a penalty therefor.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 87 the roll was called and the vote was:

Yeas—Mr. President, Senators Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Johnson, L'Engle, Massey, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—27.

Nays—Senators Adkins, Humphries—2.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

**Senate Bill No. 89-B:**

A Bill to be entitled An Act to amend Section 1587 of the General Statutes of the State of Florida relating to meals for jurors so as to provide for meals and lodging for jurors and their bailiffs.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 89-B. the roll was called and the following was the vote:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Massey, McLeod, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

So the bill passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

**Senate Bill No. 110:**

A Bill to be entitled An Act to amend Section 546 of the General Statutes of the State of Florida, relating to lien of assessment.

Was taken up and was informally passed over.

## Senate Bill No. 2:

A Bill to be entitled An Act relating to the liability of persons, associations of persons or corporations having a relief department for their employes, and to persons, associations of persons or corporations that contribute money or other thing of value to any relief society or association for the benefit of employes.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 2 the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, L'Engle, Massey, McLeod, McMullen, Miller, Perkins, Stokes, Williams, Wilson, Withers, Zim—25.

Nays—Senators Humphries, Johnson—2.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rule immediately.

A message was received from the Governor.

## Senate Bill No. 93:

A Bill to be entitled An Act to regulate the granting of new trials and the setting aside and reversals of judgments.

Was taken up and read the third time in full.

Pending which—

Mr. Dayton moved to adjourn to 4 p. m. this afternoon.

Which was not agreed to.

The consideration of Senate Bill No. 93 upon its passage was resumed.

Upon the passage of Senate Bill No. 93 the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Dayton, Hudson, Humphries, Massey, McLeod, McMullen, Miller, Stokes, Williams, Wilson, Withers, Zim—19.

Nays—Senators Davis, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Johnson, L'Engle—8.

So the bill passed, title as stated.

And the passage of the bill was ordered to be certified to the House of Representatives under the rules immediately.

Mr. Dayton moved that the Governor's message be read and spread on the Journal.

Which was agreed to.

The following message from the Governor was read:

*Gentlemen of the Legislature:*

On page 307, 24 Florida Reports, the Supreme Court, June term 1888, in the case of the State ex rel Boyd et al. v. Deal: "It cannot be said that the Governor is no part of the law-making power; he is made a part by an express provision of the Constitution, Section 28 of Article III. His participation in the making of laws is expressly provided for as an exception to the general prohibition of the second article of the Constitution against any person properly belonging to one department of the government exercising power appertaining to another department. By such Section 28 every bill that may have passed the Legislature must 'before becoming a law be presented to the Governor; if he approves he shall sign it, but if not he shall return it, with his objections, to the House in which it originated,' and a two thirds' vote of the members present in each House is necessary to make it a law against such objections." On approving a bill, the Governor's vote in the affirmative is practically equivalent to that of a member of either branch of the Legislature. When he disapproves of a bill, that is, votes in the negative, it is equivalent to one third "of the members present in each House." The Governor speaks to the Legislature through messages. It is his duty to do so. Section 9, Article IV of the Constitution, "The Governor shall communicate by message to the Legislature at each regular session, information concerning the conditions of the State and recommend such measures as he may deem expedient."

Your attention is invited to Section 2462 of the General Statutes of the State of Florida, Married Women's Acknowledgements. "To render such sale, conveyance, mortgage or relinquishment, whether of separate estate or of dower, effectual to pass a married woman's estate or right, as she must acknowledge, before some officer, authorized to take acknowledgement of deeds, separately and apart from her husband, that she executed the same freely and voluntarily and without compulsion, constraint, apprehension or fear of or from her husband, and the offi-

cer's certificate shall set forth all the foregoing requirements."

In the case of *Durham vs. Stephenson*, 41 Fla., January term 1899, the Supreme Court held, "This certificate is obviously defective because it failed to show that Mrs. Stephenson acknowledged that she 'executed the same freely and voluntarily, and without compulsion, constraint, apprehension or fear of or from her husband.'" The Supreme Court held that this is mandatory. Owning to the law and the precedents, the Supreme Court necessarily rendered such a decision. I have no desire to criticise from a personal standpoint any member of this honorable court. It is the law and the system of procedure and not the members of the court to which my remarks are directed.

Chapter 5412, Laws of Florida, enacted in the year 1905, was enacted to cure defects in all deeds or conveyances, mortgages, etc., where, in acknowledgements for the relinquishments of dower, there had been omitted either or all of the words "constraint, compulsion, apprehension or fear." It appeared that in one county, the Clerk of the Court had had prepared and distributed free, deeds in which there was some such omission. Although the dower had been attempted to have been conveyed and a fair and satisfactory consideration had been paid, yet, still on account of the omission of one of these words, by the decision of the Supreme Court, the process of law of the Constitution over-rode right and justice, which is also guaranteed by the Constitution. There are many deeds now being executed in which one or more of these words is omitted. Nothing prevents the settlement of any community more than a dispute as to titles. In order to prevent any more miscarriage of justice in the acknowledgement of deeds, it is recommended that this Section be amended by inserting the words "the foregoing is directory." This will absolutely prevent any future decisions along this line. In my judgment, this is one of the most important pieces of legislation which could possibly be enacted. Such legislation would protect the homes of thousands of people in the State. It would be in the interest of right and justice, as guaranteed by the Constitution.

It is recommended that a law be enacted, authorizing the appointment of a Commission, of three or more, to

examine the Constitution and the laws and procedure of the courts; the Commission shall make its report to the Governor, at least one month previous to the convening of the next Legislature; the Commission to draw up such bills to be presented to the Legislature as will give force and effect to their recommendations "in the interest of right and justice," the prevention of denial or delay of which is guaranteed by the Constitution, it is necessary for the creation of some such Commission. A suitable appropriation for the expenses of the same shall be made.

It is recommended that a law be enacted authorizing the appointment of a Commission of three or more to examine into the question of taxation and to report to the Governor of the State at least thirty days prior to the next Legislature. This report should embrace their recommendations, supplemented by such bills and proposed Constitutional amendments as members of the Commission may deem advisable. A suitable appropriation should be made for the expenses of the same.

Chapter 5943, Laws of Florida, enacted in 1909, in Section 3 is the following proviso: "That this Act shall not apply where the quantity of land sought to be sold does not exceed 300 acres." It is well known that lands are sold in sub-divisions of quarter-quarters, quarters, and one-half sections. A half section averages 320 acres. Sometimes it is a few acres more or a few acres less. The law should be amended by striking out 300 acres and substituting therefor half section.

Section 1, Article XVII of the Constitution of Florida, provides for the publication of proposed Constitutional amendments for "three months." It is recommended that the Constitution be changed by striking out "three" and inserting "one." Such a proposed amendment was defeated once, because on account of the manner in which such amendments are printed the electors could not segregate one from another. Those in favor of a particular amendment, vote for all in order to be sure to have it passed, whilst others vote against all. I have recommended that an Act be passed providing for the publication of a short statement showing the effect of a proposed amendment. In this instance the effect would be substituting "one" month instead of "three." If this amendment were adopted, the cost of advertising the proposed Constitu-

tional amendments would be one-third of what it is now. By enacting the law providing for the publication of the effect of the amendment, the people would have a better conception of the effect of the amendment if the same were published for one week under such law than they have now if the same were published one hundred years. Owing to the number of amendments to the Constitution, some consider it necessary that a Constitutional Convention be called. Your attention is invited to the fact that many bills were introduced in the Legislature of 1907 for the revision of the Statutes of 1906. It is needless to state that many bills have been introduced in the present Legislature for the revision of various sections of such Statutes. It is safe to say that if a Constitutional Convention had assembled last year, there would be introduced at this session as many proposed amendments to the same as there are introduced during this session to the present Constitution.

It is recommended that a law be passed paying Justices of the Peace salaries in certain districts having a population exceeding so much. All fees collected by such Justices of the Peace to be paid to the County Treasurer for the benefit of the county. The same law to apply to Constables. I have been informed that there are many Justices of the Peace who run down unfortunates largely with a view of making a living out of the fees received. Such a policy tends to make criminals.

Section 655 of the General Statutes, Advertisement for bids and duration of contract in connection with State printing, provides for the letting of the public printing every two years. This should be amended so that the Board of Commissioners of State Institutions would have the authority to let the contract for four years if, in their judgment, the same is advisable. The cost of establishing a printing plant sufficient to do the work of the State, is so great until printers refuse to bid on such contracts when limited to only two years. In my bi-ennial message to the Legislature, I invited attention to the fact that former administrations had required the bidders, in bidding for State printing, to accompany their bids with a certified check for ten thousand dollars for a certain class of work, and twenty-five hundred dollars for another class. The effect of this was to shut off competition, costing the State thereby, in my judgment, fully 33 1-3 to 40 percent more, every two years, than the same should cost.

As the State printing aggregates fully \$75,000 for two years, and is steadily increasing, this pre-requisite to bidding on contracts has cost the State during the four years of an administration between \$50,000 and \$60,000. A printer might be able to give bond, yet be unable to give a certified check for as much as \$10,000.

It is recommended that an Act be passed prohibiting the Board of Commissioners of State Institutions from requiring a certified check of more than one thousand dollars to accompany a bid on any class of State printing. This Board consists of the Governor and all the members of the Cabinet. The present contract for State printing was let under the condition requiring the bidder to accompany his bid with a certified check of \$1,000 for each class. A comparison of the bids received under this contract and under the former bids will show as much saving as is above referred to.

Very respectfully,

ALBERT W. GILCHRIST,

Governor.

A petition from the Lakeland Board of Trade relating to insurance bills was received and filed.

Communication from the Jacksonville Board of Trade relative to a bill introduced at the request of the Florida Retail Dealers' Association was received and filed.

A communication from the Jacksonville Board of Trade relative to a bridge across the St. Johns River was received and filed.

A communication from the Mulberry Board of Trade relative to a bill to prevent pollution of streams in natural bodies of water was received and placed on file.

Mr. Hudson moved to adjourn until 4 o'clock in the afternoon.

Which was agreed to.

Whereupon the Senate took a recess until 4 o'clock p. m. today.

## AFTERNOON SESSION, 4 O'CLOCK P. M.

The President in the chair.

The roll was called and the following Senators answered to their names:

Mr. President, Senators Adkins, Baker, Broome, Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Humphries, Johnson, L'Engle, Malone, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—30.

By permission—

Mr. Culpepper, Chairman of Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 20, 1911.

*Hon. F. P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

Senate Concurrent Resolution No. 12:

Resolved by the Senate, the House concurring, That a committee of five be appointed to consist of two from the Senate and three from the House to visit and inspect the canals of the Florida Coast Line Canal and Transportation Company on the east coast of Florida, and report to the Legislature.

Also—

Senate Concurrent Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Senate and three from the House, be appointed to visit the University of Florida, the College for Women, the School for the Blind and Deaf and the Colored School, also the State Arsenal at St. Augustine, and the permanent camp site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.



Also—

Senate Concurrent Resolution No. 8:

Resolved by the Senate, the House of Representatives concurring, That a committee of five (5), two (2) from Senate and three (3) from the House, be appointed to visit the location purchased for the State Penitentiary, and to inspect the other lands on which an option is held by the State for said penitentiary, investigating the same, and report back to the Legislature such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 9:

Resolved by the Senate, the House of Representatives concurring, That a committee of five members, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, be appointed to visit the phosphate mines of Polk, Hillsboro and Citrus Counties, to inspect the situation as to damage being done to the rights and interests of citizens of said counties, and report their recommendations thereon to the Legislature without unnecessary delay.

Has carefully examined the same and finds them correctly enrolled.

Very respectfully,

C. T. CULPEPPER,

Chairman of Committee.

The Acts contained in the above report were referred to the Joint Committee on Enrolled Bills, to be conveyed to the House of Representatives for the signature of the Speaker and Chief Clerk thereof.

By permission—

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, April 20, 1911.

*Hon. F. P. Conc.*

*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

## House Bill No. 19:

A Bill to be entitled An Act to repeal Chapter 5767 of the Laws of Florida, the same being entitled "An Act to organize a County Court in and for the County of Lafayette; to prescribe the terms thereof; and to provide for the appointment of a Prosecuting Attorney, and for his compensation and for that of the Judge of said Court," approved May 7, 1907.

Also—

## House Bill No. 43:

A Bill to be entitled An Act to declare valid a proposed issue of bonds of the County of St. Lucie heretofore authorized to be issued under Chapter 6016 of the Laws of Florida; to cure all irregularities and defects existing in said bonds; to authorize the County Commissioners of said St. Lucie County to sell and deliver said bonds and to carry out any contract existing for the sale and delivery of said bonds, to define the purposes for which the proceeds shall be used and the manner of disposing of such proceeds; and to require the levy of taxes for the payment of interest and for providing a sinking fund and validating the levy and collection of taxes for interest and sinking fund.

Also—

## House Bill No. 47:

An Act regulating the manner of catching fish in the fresh water lakes and streams of Calhoun County, prohibiting shipment of same out of said County, and providing punishment for the violation of this Act.

Also—

## House Bill No. 135:

A Bill to be entitled An Act to amend Section 1 of An Act entitled "An Act to provide for the assessment and collection of the taxes for the City of Orlando, and for the collection of the back taxes and tax sale certificates of said city," approved April 30, 1903.

Also—

## House Bill No. 244:

A Bill to entitled An Act to ratify, validate and confirm certain negotiable bonds of the City of Tallahassee, and to authorize their sale.

Begs to report that the same have been duly signed

by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

### ENROLLED.

The President announced that he was about to sign—  
House Bill No. 19:

A Bill to be entitled An Act to repeal Chapter 5767 of the Laws of Florida, the same being entitled "An Act to organize a County Court in and for the County of Lafayette; to prescribe the terms thereof; and to provide for the appointment of a Prosecuting Attorney, and for his compensation, and for that of the Judge of said Court," approved May 7, 1907.

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A Bill to be entitled An Act regulating the manner of catching fish in the fresh water lakes and streams of Calhoun County, prohibiting shipment of same out of said county, and providing punishment for the violation of this Act.

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House Bill No. 135:

A Bill to be entitled An Act to amend Section 1 of An

Act entitled "An Act to provide for the assessment and collection of taxes for the City of Orlando, and for the collection of the back taxes and tax sale certificates of said city," approved April 30, 1903.

Also—

House Bill No. 244:

A Bill to be entitled An Act to ratify, validate and confirm certain negotiable bonds of the City of Tallahassee, and to authorize their sale.

The Acts were therefore duly signed by the President and Secretary of the Senate, and ordered returned to the Chairman of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 20, 1911.

*Hon. F. P. Cone,*  
*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

Senate Concurrent Resolution No. 12:

Resolved by the Senate, the House concurring, That a committee of five be appointed to consist of two from the Senate and three from the House to visit and inspect the canals of the Florida Coast Line Canal and Transportation Company on the east coast of Florida, and report to the Legislature.

Also—

Senate Concurrent Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Senate and three from the House, be appointed to visit the University of Florida, the College for Women, the School for the Blind and Deaf and the Colored School, also the State Arsenal at St. Augustine and the permanent camp site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 8:

Resolved by the Senate, the House of Representatives concurring, That a committee of five (5), two (2) from the Senate and three (3) from the House, be appointed to visit the location purchased for the State Penitentiary, and to inspect the other lands on which an option is held by the State for said penitentiary, investigating the same, and report back to the Legislature such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 9:

Resolved by the Senate, the House of Representatives concurring, That a committee of five members, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, be appointed to visit the phosphate mines of Polk, Hillsboro and Citrus Counties, to inspect the situation as to damage being done to the rights and interests of citizens of said counties, and report their recommendations thereon to the Legislature without unnecessary delay.

Begs to report that the same have been duly signed by the Speaker and Chief Clerk of the House of Representatives, and are herewith presented to the Senate for the signatures of the President and Secretary thereof.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

ENROLLED.

The President announced that he was about to sign—

Senate Concurrent Resolution No. 12:

Resolved by the Senate, the House concurring, That a committee of five be appointed to consist of two from the Senate and three from the House to visit and inspect the canals of the Florida Coast Line Canal and Transportation Company on the east of Florida, and report to the Legislature

Also—

Senate Concurrent Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Sen-

ate and three from the House, be appointed to visit the University of Florida, the College for Women, the School for the Blind and Deaf and the Colored School, also the State Arsenal at St. Augustine and the permanent camp site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.

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The Acts were, therefore, duly signed by the President and Secretary of the Senate and ordered returned to the Chairan of the Joint Committee on Enrolled Bills to convey to the Governor for his approval.

Senate Bill No. 63:

A Bill to be entitled An Act to amend Sections 1626 and 1627 of the General Statutes of Florida, relating to claims by third persons to property levied upon under execution.

Was taken up and read the third time in full.

Upon the passage of Senate Bill No. 63 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Broome,

Calkins, Carney, Culpepper, Davis, Dayton, Finlayson, Flournoy, Hilburn, Hosford, Hudson, Humphries, Johnson, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

Nay—Senator Henderson—1.

Senate Joint Resolution No. 19:

Proposing an amendment to Section 6 of Article VIII of the Constitution of the State of Florida.

Was taken up.

Mr. Johnson moved to waive the rules and that Senate Joint Resolution No. 19 be put back on the Calendar of Bills on the Second Reading for amendment.

Which was agreed to by a two thirds' vote.

So the bill was placed on the Calendar of Bills on the Second Reading.

Senate Bill No. 64:

A Bill to be entitled An Act to repeal the license now required of dealers in green groceries and fresh fruits and nuts, where such dealer has taken out license as a merchant.

Was taken up and was read the third time in full.

Upon the passage of Senate Bill No. 64 the roll was called and the vote was:

Yeas—Mr. President, Senators Adkins, Baker, Calkins, Carney, Culpepper, Dayton, Finlayson, Flournoy, Henderson, Hilburn, Hosford, Hudson, Humphries, Johnson, L'Engle, Massey, McCreary, McLeod, McMullen, Miller, Perkins, Sloan, Stokes, Williams, Wilson, Withers, Zim—28.

So the bill was passed, title as stated.

And the same was ordered to be certified to the House of Representatives.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,

Tallahassee, Fla., April 20, 1911.

*Hon. Fred P. Cone,*

*President of the Senate.*

*Sir:*

Your Joint Committee on Enrolled Bills, to whom was referred—

## House Bill No. 19:

An Act to repeal Chapter 5767 of the Laws of Florida, the same being entitled An Act to organize a County Court in and for the County of Lafayette; to prescribe the terms thereof; and to provide for the appointment of a Prosecuting Attorney, and for his compensation, and for that of the Judge of said Court, approved May 7, 1907.

Also—

## House Bill No. 43:

An Act to declare valid a proposed issue of bonds of the County of St. Lucie heretofore authorized to be issued under Chapter 6016 of the Laws of Florida; to cure all irregularities and defects existing in said bonds; to authorize the County Commissioners of said St. Lucie County to sell and deliver said bonds and carry out any contract existing for the sale and delivery of said bonds, to define the purposes for which the proceeds shall be used and the manner of disposing of such proceeds; and to require the levy of taxes for the payment of interest and for providing a sinking fund and validating the levy and collection of taxes for interest and sinking fund.

Also—

## House Bill No. 47:

An Act regulating the manner of catching fish in the fresh water lakes and streams of Calhoun County, prohibiting shipment of same out of said county, and providing punishment for the violation of this Act.

Also—

## House Bill No. 135:

An Act to amend Section 1 of An Act entitled An Act to provide for the assessment and collection of the taxes for the City of Orlando and for the collection of the back taxes and tax sale certificates of said City, approved April 30, 1903.

Also—

## House Bill No. 244:

An Act to ratify, validate and confirm certain negotiable bonds of the City of Tallahassee, and to authorize their sale.



Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

Mr. Culpepper, Chairman of the Joint Committee on Enrolled Bills, submitted the following report:

Senate Chamber,  
Tallahassee, Fla., April 20, 1911.

*Hon. Fred P. Cone,*  
*President of the Senate.*

Sir:

Your Joint Committee on Enrolled Bills, to whom was referred—

Senate Concurrent Resolution No. 12:

Resolved by the Senate, the House concurring, That a committee of five be appointed to consist of two from the Senate and three from the House to visit and inspect the canals of the Florida Coast Line Canal and Transportation Company on the East Coast of Florida, and report to the Legislature.

Also—

Senate Concurrent Resolution No. 6:

Resolved by the Senate, the House of Representatives concurring, That a committee of five, two from the Senate and three from the House be appointed to visit the University of Florida, the College for Women, the School for the Blind and Deaf, and the Colored School, also the State Arsenal at St. Augustine, and the permanent Camp Site at Black Point, Duval County, Florida, and to investigate the needs and management of said institutions, and report back to the Legislature with such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 8:

Resolved by the Senate, the House of Representatives concurring, That a committee of five (5), two (2) from the Senate and three (3) from the House be appointed to visit the location purchased for the State Penitentiary, and to inspect the other lands on which an option is held by the State for said penitentiary, investigating

the same, and report back to the Legislature such recommendations as the conditions may warrant.

Also—

Senate Concurrent Resolution No. 9:

Resolved by the Senate, the House of Representatives concurring, That a committee of five members, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, be appointed to visit the phosphate mines of Polk, Hillsboro and Citrus counties, to inspect the situation as to damage being done to the rights and interests of citizens of said counties, and report their recommendations thereon to the Legislature without unnecessary delay.

Begs to report that the same have been presented to the Governor for his approval.

Very respectfully,

C. T. CULPEPPER,  
Chairman of Committee.

#### BILLS ON THE SECOND READING.

Senate Bill No. 33:

A Bill to be entitled An Act to prevent the pollution of the streams and natural bodies of water of the State of Florida, and to prevent making any deposit of any substance therein which shall be destructive to the life of fish, or which shall effect the depth or navigability thereof.

Was taken up and informally passed over on the Calendar.

Senate Bill No. 74:

A Bill to be entitled An Act prohibiting the use of log carts upon any of the public roads within the State of Florida, with certain exceptions thereto, and providing penalties for violation thereof.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 74 was placed on the Calendar of Bills on the Third Reading.

Senate Bill No. 76:

A Bill to be entitled An Act to license automobiles and other motor-driven vehicles used on the public roads or

highways in the State of Florida, either for hire or otherwise.

Was taken up and read the second time in full.

And was temporarily passed over on the Calendar.

Senate Bill No. 68:

A Bill to be entitled An Act to regulate child labor in the State of Florida, and to make provisions of such Act effective, creating the office of State Labor Inspector and defining duties and compensation of such officer.

Was taken up and read the second time in full.

Mr. Flournoy moved that the rules be waived and that Senate Bill No. 68 be made the order of the day for Tuesday next.

Which was agreed to by a two thirds' vote.

The consideration of—

Senate Bill No. 76:

A Bill to be entitled An Act to license automobiles and other motor-driven vehicles used on the public roads or highways in the State of Florida, either for hire or otherwise.

Was resumed.

Mr. Humphries offered the following amendment to Senate Bill No. 76:

In Section 1, line 2, strike out the word "five," and insert in lieu thereof the following: "fifteen."

Mr. Humphries moved the adopted of the amendment.

Which was agreed to.

The further consideration of Senate Bill No. 76 was temporarily passed.

Senate Bill No. 34:

A Bill to be entitled An Act to prescribe certain duties of registration officers.

Was taken up and read the second time.

Mr. Massey, by unanimous consent, withdrew the amendment offered by him to Senate Bill No. 34:

The further consideration of Senate Bill No. 34 was temporarily passed.

Senate Bill No. 44:

A Bill to be entitled An Act prescribing the method

of serving process upon non-resident co-partners having an office or conducting business in the State of Florida.

Was taken up and read the second time in full.

There being no amendment Senate Bill No. 44 was passed to the Calendar of Bills on the Third Reading.

#### Senate Bill No. 111:

A Bill to be entitled An Act to regulate the instruction of juries in jury trial.

Was taken up and read the second time.

The amendment offered by the Committee on Judiciary A was read as follows:

In Section 1, line 3, after the words "instruct the jury" add "before argument to the jury on the facts."

Mr. Flournoy moved to adopt the amendment.

Which was agreed to.

The further consideration of Senate Bill No. 111 was temporarily passed.

#### Senate Bill No. 54:

A Bill to be entitled An Act to amend Section 3267 and 3268 of the General Statutes of the State of Florida, relating to licenses for carrying fire arms.

Was taken up and read the second time in full.

The committee substitute for Senate Bill No. 54 was also read with the following committee amendment thereto offered by Mr. Perkins:

1. In Section 2, line 22, strike out all after the word "bond" and insert in lieu thereof the following: "There shall be no charge."

Mr. Perkins moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In Section 2, line 6, strike out the word "session" and insert in lieu thereof the following: "meeting."

Mr. Perkins moved to adopt the amendment.

Which was agreed to.

Also the following committee amendment was read:

In Section 1, lines 6 and 7, strike out the words "pocket fire arms of any kind."

Mr. Perkins moved to adopt the amendment.

Which was agreed to.

The following committee amendment was read:

In Section 2, line 20, after the word "section," insert

the following: "Provided further, That children under the age of sixteen years may hunt without obtaining such license when accompanied by their parent or guardian."

Mr. Perkins moved to adopt the amendment.

Which was agreed to.

The further consideration of substitute for Senate Bill No. 54, as amended, was temporarily passed.

The consideration of—

Senate Bill No. 111:

A Bill to be entitled An Act to regulate the instruction of juries in jury trial.

Was resumed.

There being no further amendment Senate Bill No. 111 was referred to the Committee on Engrossed Bills.

The consideration of—

Senate Bill No. 76:

A Bill to be entitled An Act to license automobiles and other motor-driven vehicles used on the public roads or highways in the State of Florida, either for hire or otherwise.

Was resumed.

There being no further amendment Senate Bill No. 76 was referred to the Committee on Engrossed Bills.

Senate Bill No. 50:

A Bill to be entitled An Act to prescribe and regulate rates for the transmission of telegrams and providing a penalty for violation of said regulations.

Was taken up and read the second time in full.

Also the following committee amendment was read, as follows:

In Section 1 and lines 4 and 5 strike the words "on its lines."

Mr. Perkins moved to adopt the committee amendment.

Which was agreed to.

There being no further amendment Senate Bill No. 50 as amended was referred to the Committee on Engrossed Bills.

Senate Bill No. 82:

A Bill to be entitled An Act to amend Section 3299

of the General Statutes of the State of Florida, relative to horse and cattle stealing.

Was taken up and read the second time.

The committee amendment to Senate Bill No. 82 was also read as follows:

In Section 1, line 10, after the word "court" insert in lieu thereof the following: "Or by imprisonment in the State Prison not exceeding five years."

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

The second committee amendment was read as follows:

In Section 1, line 8, insert after the word "for" the word "not."

Mr. Adkins moved to adopt the amendment.

Which was agreed to.

Mr. Dayton moved to indefinitely postpone Senate Bill No. 82.

Which was not agreed to.

The further consideration of Senate Bill No. 82 was then passed informally.

#### Senate Bill No. 89:

A Bill to be entitled An Act to prohibit pools, trusts, monopolies and conspiracies to control business and prices of articles; to prevent the formation or operation of pools, trusts, monopolies and combinations of charters of corporations that violate the terms of this Act and to authorize the institution of proceedings of suits therefor.

Was taken up and its consideration informally passed on the Calendar.

#### Senate Bill No. 59:

A Bill to be entitled An Act to prescribe the maximum passenger rate in this State on certain steam railroads, and to provide that the Railroad Commission may prescribe maximum passenger rates on steam railroads in this State not in conflict with the provisions of this Act, and to provide for the use of certain evidence in cases arising under this Act, and to provide a penalty for the violation of this Act.

Was taken up and read the second time in full.

The committee amendments to Senate Bill No. 59 were read as follows:

1. At the end of Section 3, insert "and this Act shall not be construed to repeal any part of Chapter 5595, Laws of Florida, Acts of 1905."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

The following committee amendment was read:

In Section 5, lines 11 and 12, strike out the words "a sum of money not in excess of."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

Mr. Stokes offered the following amendment to Senate Bill No. 59:

Strike out the words "one hundred miles" wherever the same appears in the bill, and insert in lieu thereof the following: "one hundred and fifty miles."

Mr. Stokes moved to adopt the amendment.

Which was agreed to.

Mr. Massey offered the following amendment:

Make Section 6 Section 7, and make Section 6 read as follows:

"Section 6. The provisions of this Act except those authorizing criminal prosecutions shall be enforced by the Attorney General of the State, whose duty it shall also be to defend all suits brought to restrain the execution of the provisions of this Act."

Mr. Massey moved to adopt the amendment.

Which was agreed to.

There being no further amendment Senate Bill No. 59 was referred to the Committee on Engrossed Bills.

Mr. Miller moved to adjourn to 8 o'clock to morrow morning.

Which was withdrawn.

The consideration of—

Senate Bill No. 82:

A Bill to be entitled An Act to amend Section 3299 of the General Statutes of the State of Florida, relative to horse and cattle stealing.

Was resumed.

Senator Williams offered the following amendment:

In Section —, lines 5 and 6, strike out the words "cow, bull, ox, steer, heifer or calf" and insert in lieu thereof

the following: "any one or more cattle of the bovine specie."

Mr. Williams moved to adopt the amendment.

Which was agreed to.

Mr. Dayton offered the following amendment:

In Section 1, line 7, after the word "conviction," strike out "be fined in a sum not more than \$500.00 or imprisoned in the County Jail not more than twelve months, or by both such fine and imprisonment, in direction of the court or by imprisonment in the State Prison not exceeding five years, and insert in lieu thereof, "shall be punished by imprisonment in the State Prison not less than two years nor more than five years."

Mr. Dayton moved to adopt the amendment.

Pending the consideration of the amendment, the further consideration of Senate Bill No. 82 was temporarily passed.

Mr. Perkins offered the following amendment to Senate Bill Substitute No. 54:

As a title to said Bill, insert the following: "A Bill to be entitled An Act to amend Sections 3267 and 3268 of the General Statutes of the State of Florida, relating to licenses for carrying fire arms."

Mr. Perkins moved the adoption of the amendment.

Which was agreed to.

The consideration of Substitute for Senate Bill No. 54 was resumed.

Mr. Williams offered the following amendment to Substitute for Senate Bill No. 54:

In Section 1, lines 5 and 6, strike out the words "or shot gun or fire arms or fire arms of any nature whatsoever."

Mr. Williams moved to adopt the amendment.

Pending the consideration of the amendment Mr. Calkins moved that the Senate do now adjourn until 10:00 o'clock tomorrow morning.

Which was agreed to.

Whereupon the Senate stood adjourned to 10:00 o'clock Friday, April 21, 1911.

#### CONFIRMATION.

Hon. James T. Wills, of Starke, Florida, to be Circuit Judge in and for the Eighth Judicial Circuit of Florida, for six years from April 26, 1911.